

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

-----  
UNITED STATES OF AMERICA,

v.

05-CR-576

RONALD HILL,

Defendant.

-----  
THOMAS J. McAVOY  
Senior United States District Judge

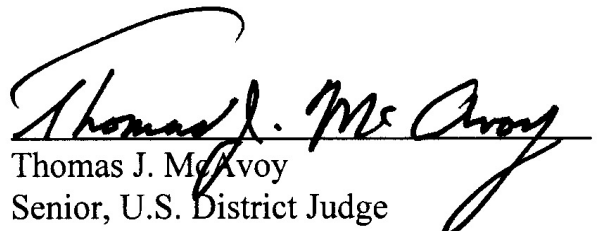
**DECISION and ORDER**

On March 7, 2007, Defendant was sentenced to a term of 36 months upon his guilty plea to violating the terms of his Supervised Release. Eighteen months of that sentence were to be served concurrently with a state sentence previously imposed, with the remaining eighteen months to be served consecutively to the state sentence. Defendant now moves to reduce his sentence on the ground that, because he was convicted of a Class C felony (and not a Class B felony as indicated in the Presentence Investigation Report prepared by the District of New Jersey), he was subject to a maximum sentence of twenty-four months. The United States concurs.

Because the original sentence was unauthorized, the Court hereby vacates the March 7, 2006 Judgment and directs the Clerk of the Court to enter a new judgment sentencing Defendant to a total of twenty-four months, with eighteen months of this sentence to run concurrent with the state sentence and the remaining six months to be served consecutive to the state sentence.

IT IS SO ORDERED.

Dated: September 23, 2009

  
Thomas J. McAvoy  
Senior, U.S. District Judge